

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:04CV136

| | | |
|------------------------------------|---|--|
| EARNESTINE SHEPHERD, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| METROPOLITAN LIFE INSURANCE |) | |
| COMPANY, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

THIS MATTER is before the Court *sua sponte* to continue the trial from the September 2205 term in the Asheville Division.

The Court has under advisement the parties' cross motions for summary judgment and the Plaintiff's motion to compel; the Court will not complete its review of these motions in time for the parties to adequately prepare for trial for the September 2005 term.

IT IS, THEREFORE, ORDERED that the Clerk calendar this case for trial during the Court's November 2005 term in the Asheville Division.

Signed: August 11, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

